

REMARKS

Independent claims 1, 36 and 43 stand rejected under 35 U.S.C. §101. In accordance with the Final Office Action dated December 3, 2009, Applicant has amended independent claims 1, 36 and 43 in accordance with the suggestions of the Examiner in order to put such independent claims in allowable form. As indicated on page 4 of the outstanding Office Action, the Examiner indicated that claims 1, 3-6, 8-9, 11-13, 15-18 and 24-43 would be allowable if rewritten to overcome all rejections and objections raised in the Office Action.

In addition, the Examiner indicated that dependent claims 3-6, 8-9, 11-13, 15-18, 24-34 and 36-43 were objected to as being dependent from rejected independent claims 1, 35 and 43. Since independent claims 1, 35 and 43 have been amended to overcome the §101 rejection as suggested by the Examiner, all dependent claims in the present application are now in allowable form.

Applicant is hereby cancelling withdrawn claims 21-23 which were withdrawn from prosecution of this application as being directed to a non-elected invention. Applicant will refile these claims in a divisional application.

In addition, Applicant will be filing a continuation application to cover the method of the present invention for coordinating non-matching patterns on selected items which can be accomplished without the aid of a computer. Such application will be filed prior to issuance of the present application.

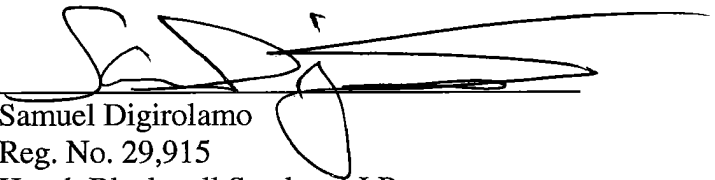
It is now believed that all claims in the present application, namely, claims 1, 3-6, 8, 9, 11-13, 15-18 and 24-43 are in allowable condition and are patentably distinguishable over all of the cited prior art.

Application of: Jonah Staw
Serial No.: 10/827,392
Amendment E

If any issue regarding the allowability of any of the pending claims in the present application could be readily resolved, or if other action could be taken to further advance this application such as an Examiner's amendment, or if the Examiner should have any questions regarding the present amendment, it is respectfully requested that the Examiner please telephone Applicant's undersigned attorney in this regard.

Respectfully submitted,

Date: 5 JAN 2010

A handwritten signature in black ink, appearing to read 'SD', is written over a horizontal line.

Samuel Digirolamo
Reg. No. 29,915
Husch Blackwell Sanders LLP
190 Carondelet Plaza, Ste 600
St. Louis, MO 63105
314-480-1500
ATTORNEYS FOR APPLICANT